

ORDINANCE NO. 12-83

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE RELEASE OF A WATER LINE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 18165 AT PAGES 2375-2377, IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. **THE EASEMENT LOCATED INSIDE 1700 WEST 49 STREET, HIALEAH, FLORIDA AND AS MORE PARTICULARLY DESCRIBED AND DEPICTED IN EXHIBIT A TO THE EASEMENT FOR WATER LINE BEING RELEASED.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby approves the release of a water line easement, as recorded in Official Records Book 18165, at pages 2375-2377, of the Public Records of Miami-Dade County, Florida. The easement is located inside 1700 West 49 Street, Hialeah, Miami-Dade County, Florida and as more particularly described and depicted in Exhibit A to the Easement for Water Line being released.

Section 2: The City Council of the City of Hialeah, Florida hereby authorizes the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to execute a Release of Water Line Easement, in the form as attached hereto and made a part hereof as Exhibit "1", in furtherance thereof.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.



CFN 2013R0042685
OF Bk 28447 Pgs 1848 - 1849; (2pgs)
RECORDED 01/16/2013 11:01:24
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Document prepared by:

William M. Grodnick
City Attorney
501 Palm Avenue
Hialeah, Florida 33010
Tele: (305) 883-5854

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT made at 501 Palm Avenue, Hialeah, Florida 33010, this 13th day of December, 2012, by the City of Hialeah, Florida, a municipal corporation organized and existing under the laws of the State of Florida.

WITNESSETH:

WHEREAS, Hialeah Fee Commons, Ltd., the property owner, requests a release of a water line easement located inside 1700 West 49 Street, Hialeah, Florida, which was recorded in Official Records Book 18165 pages 2375-2377, of the Miami-Dade County Public Records; and

WHEREAS, the Department of Water and Sewers consents to the release of the water line easement.

NOW, THEREFORE, in consideration of the premises hereof, the City of Hialeah releases the easement reserved for the installation and maintenance of a water line located inside 1700 West 49 Street, Hialeah, Florida, a more particularly described and depicted in Exhibit A to the Easement for Water Line, which was recorded in Official Records Book 1816, at pages 2375-2377, of the Miami-Dade County Public Records.

IN WITNESS WHEREOF, the City of Hialeah has caused this instrument to be executed by the respective officials thereunder duly authorized on the day first above written.

Signed, sealed and delivered
in the presence of:

Witness

Printed/typed name: Gelien Perez

Witness

Printed/typed name: Kevin Nasco

Attest:

Marbelys Rubio
Marbelys Rubio
Acting City Clerk

(Seal)

City of Hialeah, Florida
501 Palm Avenue
Hialeah, Florida 33010

Authorized signature on behalf of
City of Hialeah, Florida

Mayor Carlos Hernandez

Date

Ord.
12.13 2

Section 3: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty described above, the City may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 5: Effective Date.

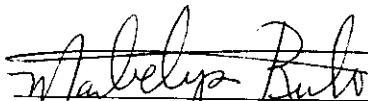
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 11 day of December, 2012.
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.


Isis Garcia-Martinez
Council President

Attest:

Approved on this 13 day of DEC, 2012.


Marbelys Rubio, Acting City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


William M. Grodnick City Attorney

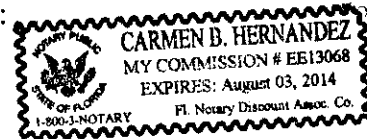
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Ordinance was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".

STATE OF FLORIDA
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 13 day of December, 2012 by Carlos Hernandez, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by Marbelys Rubio, as Acting City Clerk of the City of Hialeah, on behalf of the City of Hialeah. They are personally known to me or have produced _____ as identification and did (did not) take an oath.

Carmen B. Hernandez
Title: Notary Public, State of Florida
Carmen B. Hernandez
Typed/printed or stamped name
Commission Number:



Approved as to legal sufficiency and as to form:
William M. Grodnick
William M. Grodnick, City Attorney